Exhibit B

From: Phillips, Harry
Sent: Thursday, February 11, 2021 10:42 AM
To: 'Brendan Blake'
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Cc: *** GDC EpicLitTeam <AppleAppStoreDiscovery@gibsondunn.com>
Subject: RE: Epic v. Apple - Epic's Production of Data and Non-Custodial Documents

Brendan – Thank you for your email. We are investigating how significantly Epic's replacement of these three datasets, two business days before expert reports are due, will impact our experts' analyses and prejudice Apple. Apple reserves all rights to seek relief in light of this delinquency.

Harry
Harry R. S. Phillips

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From: Brendan Blake <bblake@cravath.com>
Sent: Thursday, February 11, 2021 12:20 AM
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Cc: *** GDC EpicLitTeam <AppleAppStoreDiscovery@gibsondunn.com>
Subject: RE: Epic v. Apple - Epic's Production of Data and Non-Custodial Documents

[External Email]
Harry,

I am writing to follow-up on the two outstanding questions from your email below and the issues raised in your separate February 9, 2021 email regarding the same data sets.

- 1(b): The "monthly_mtx_revenue" field covers purchases of a number of different in-game items that are purchasable with real money. Specifically, the field covers revenue from direct purchases of V-Bucks, purchases of giftable Battle Passes, purchases of bundles (*e.g.*, Starter Packs, Challenge Packs) and redemptions of POSA cards. However, only some of these items include V-Bucks. The giftable Battle Pass and Challenge Packs include cosmetics as well as the ability to earn a pre-determined amount of V-Bucks through in-game achievements. Starter Packs and certain other bundles include a combination of V-Bucks and cosmetics. Other bundles include only cosmetics. POSA cards are made up entirely of V-Bucks. The "vb_amount" field in the data set only covers direct purchases of V-Bucks.   For this reason, the data set sometimes shows the revenue associated with purchases of these other items without showing any V-Bucks.

  For completeness, we have uploaded to the same secure FTP site that was used for the initial delivery of EPIC023 a new data set that includes an additional field for "vb_amount_other" immediately following the "vb_amount" field. This new field includes the total amount of V-Bucks—both actual and earnable—from the purchases of giftable Battle Passes, purchases of bundles and redemptions of POSA cards. Direct purchases of V-Bucks still only appear in the original "vb_amount" field. The new data set replaces EPIC_04315058_HighlyConfidential produced in response to Apple RFP 64. The filename for the replacement data set is EPIC_04315058_2_HighlyConfidential. The password for the zip file is CF!Jkx&n5z.

- 1(d): Epic tracks in-game activity in *Fortnite* by measuring player "heartbeats" in one-minute intervals. That means that if a player logs into *Fortnite* for less than one minute it is possible that their in-game activity from that time will not be reflected in Epic's data. Epic also separately tracks transactions that take place in *Fortnite*. Therefore, if a player logs into *Fortnite* for less than one minute but makes a transaction in that time, it is possible that Epic's data will reflect that the player was seen in*Fortnite* on that platform on that day and that the player spent money on the platform, but Epic's data will not necessarily show that the player played on the platform for any amount of time. There are also occasional instances where data packets are lost or delayed while being transferred to Epic, in which case a player's in-game activity for a particular day may not show up in Epic's data.

- 2/9/2021 Email: As part of Epic's investigation into your initial questions, Epic determined that transactions for certain item types were inadvertently excluded from the EPIC_04315059 data set produced in response to Apple RFP 74. Following your February 9, 2021 email, Epic also determined that certain item codes that were used only in August and September 2020 also were inadvertently excluded from both the EPIC_04315058_2 and EPIC_04315059 data sets. The exclusion of these items accounts for the revenue discrepancy and the missing iOS App Store data noted in your most recent email.

  We have uploaded to the same FTP replacement data sets that include these additional item types. For EPIC_04315058_2, Epic re-ran the export for just August and September 2020 to include the missing item codes, and Epic is providing a supplementary data set for just these two months. The filename for the August and September 2020 data file is EPIC_04315058_3_HighlyConfidential. For EPIC_04315059, Epic re-ran the export for the full period to include the missing items. The replacement data set for EPIC_04315059 now

includes three new fields that are populated only for those new item types—"quantity_other", "revenue_other", "revenue_net_other"—that immediately follow the fields "quantity", "revenue", "revenue_net". The filename for the replacement data set is EPIC_04315059_1_HighlyConfidential.

Further, as to point 3(a) in my email below, Epic also has uploaded a replacement data set for EPIC_04315060 produced in response to Apple RFP 74 that includes the "platform_max_time" field. The filename for the replacement data is EPIC_04315060_1_HighlyConfidential.

Best,
Brendan

From: Brendan Blake
Sent: Wednesday, February 3, 2021 1:57 PM
To: Phillips, Harry <HPhillips2@gibsondunn.com>; Christine Varney <cvarney@cravath.com>; Katherine Forrest <kforrest@cravath.com>; Gary Bornstein <gbornstein@cravath.com>; Yonatan Even <yeven@cravath.com>; Lauren Moskowitz <lmoskowitz@cravath.com>; Brent Byars <MByars@cravath.com>; Epic Mobile Apps <epic-mobileapps@cravath.com>; robl@hbsslaw.com; bens@hbsslaw.com; tedw@hbsslaw.com; byrd@whafh.com; dejong@whafh.com; benh@hbsslaw.com
Cc: *** GDC EpicLitTeam <AppleAppStoreDiscovery@gibsondunn.com>
Subject: RE: Epic v. Apple - Epic's Production of Data and Non-Custodial Documents

Harry,

I have provided below answers to your questions. Where noted below, Epic is still in the process of looking into the question and will follow-up on those separately.

Questions About EPIC023

1. EPIC_04315058

a. We have reviewed the data set and determined there was an error in the initial export that affected the data for January 2019 only. Epic has re-run the export for January 2019 and we have uploaded the replacement data to the same secure FTP site that was used for the initial delivery of EPIC023. The filename for the replacement data is EPIC_04315058_1_HighlyConfidential.

b. Epic is still looking into your question about the "monthly_mtx_revenue" field.

c. The "HONGKONG" platform variable represents the PC-based WeGame portal that is used primarily in China.

d. Epic is still looking into your question about the "time_played" field.

2. EPIC_04315059

a. The "MtxPack" variable represents V-Bucks that are purchased in game while the "MtxPOSA" variable represents the redemption of a point of sale activation ("POSA") card in game.

b. The suffixes for the "MtxPOSA" items correspond with the platform on which the POSA card was redeemed.

3. EPIC_04315060

a. The "platform_max_time" field is the platform on which the user spent the most time on the day of the redemption. This field was inadvertently omitted from the full data set. Epic will provide an updated data set that includes this field and expects to be in a position to do so by the end of this week.

b. The "base_price" and "final_price" fields inadvertently were mis-defined in the data dictionary. The correct definitions are as follows. The "base_price" field is the amount in V-Bucks of a redeemed item. The "final_price" field is the total amount of V-Bucks spent on the item on a particular day. For example, the "base_price" of a level is 150 V-Bucks, but if user redeems three levels then the "final_price" is 450 V-Bucks. The data are correct as produced.

Apple RFP No. 65
Epic has produced data in response to Apple RFP No. 65 as EPIC_04503683.

Contracts with Third Parties
Epic has produced the Nintendo Switch Content License and Distribution Agreement as EPIC_04503632. Epic still intends to produce one additional agreement with a wireless carrier pending the resolution of confidentiality issues.

Best,
Brendan

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Cc: *** GDC EpicLitTeam <AppleAppStoreDiscovery@gibsondunn.com>
Subject: RE: Epic v. Apple - Epic's Production of Data and Non-Custodial Documents

Hello all: Further to the below, please let us know when Epic will answer Apple's questions about Epic's data production and provide the data necessary to complete its production. The lack of data for January 2019 in particular is a significant deficiency impeding our experts' analysis.

Thanks,

Harry
Harry R. S. Phillips

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From: Phillips, Harry <HPhillips2@gibsondunn.com>
Sent: Tuesday, January 26, 2021 10:03 PM
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Cc: *** GDC EpicLitTeam <AppleAppStoreDiscovery@gibsondunn.com>
Subject: Epic v. Apple - Epic's Production of Data and Non-Custodial Documents

Epic counsel:

I write on behalf of Apple concerning Epic's production of data in response to Apple Requests for Production Nos. 64 and 74, and other issues concerning Epic's search for and production of non-custodial data and documents.

Questions about EPIC023

We have reviewed the three datasets produced by Epic on January 22, 2021 as EPIC023, and have the following questions and concerns:

1. Concerning EPIC_04315058 (produced in response to RFP 64):

    a. For January 2019, a significant number of user accounts are missing from the data. In particular, while we observe more than 70 million user accounts across all platforms in Dec 2018 and Feb 2019, in Jan 2019 we see only 4.7 million user accounts across all platforms. This deficiency is impeding our experts' ability to analyze the data.

    b. In about 59 million observations (2% of the entire dataset) "monthly_mtx_revenue" on a platform is greater than zero even though "vb_amount" and "bp_purchase" are both "NA" for that platform. How is the user generating revenue for Epic on a platform even though, according to the data, that user did not purchase any vbucks or battle packs on that platform?

    c. We are finding the "platform" variable can take the value "Hong Kong." What does "Hong Kong" signify?

    d. There are many instances where "timeplayed" on a given platform is recorded as "0," but "days" and "monthly_mtx_revenue" are greater than zero. Why is that? Is "timeplayed" recorded as 0 if actual time spent on a platform is below some threshold amount? If so, what is that threshold?

2. Concerning EPIC_04315059 (produced in response to RFP 74):

    a. The variable "item" takes values beginning with "MtxPack" or "MtxPOSA". What is the difference between these?

    b. In some (but not all) cases, there is a suffix such as "PCIOSAndroid" (e.g., "MtxPOSA5000_PCIOSAndroid") or "Xbox" (e.g., MtxPOSA2800_Xbox). Does the suffix indicate the platform where a purchase was made?

3. Concerning EPIC_04315060 (produced in response to RFP 74):

    a. The sample dataset produced previously included the field "platform_max_time," but the field does <u>not</u> appear in this production. What did that variable signify and why does it not appear in this dataset?

    b. The data dictionary states that the variable "base_price" is the amount in vbucks of an item redeemed before discount, and "final_price" is the amount in vbucks of an item redeemed after a discount. We would therefore expect "base_price" to be greater than or equal to "final_price." However, we find the reverse to be true— "final_price" is greater than or equal to "base_price". Have these variables been mislabeled in the production?

Given the forthcoming deadline for expert reports, please provide answers to these questions and produce any necessary supplemental data by tomorrow.

Apple's RFP 65

In your letter of January 13, 2021, you stated that Epic would produce, in response to Apple's RFP 65, "for each platform individually and for all platforms combined: (1) the average daily active users; (2) the total users; (3) total hours spent playing matches; and (4) total hours spent in the game." Please confirm whether Epic has produced this data and, if not, when it will do so.

Contracts with Third Parties

Lastly, in your letter of January 13, 2021, you stated that Epic has completed its collection and production of agreements with third-party platforms "except for two agreements for which Epic is working to address third-party confidentiality issues." You previously advised that one of these agreements is Epic's Content License and Distribution Agreement ("CDLA") with Nintendo.

Please confirm whether Epic has produced this document and, if not, when it will do so. As Epic knows, its relationships with third-party game platforms are central to disputed issues of market definition and the justifications for Apple's alleged conduct. *See* Order Granting in Part and Denying in Part Motion for Preliminary Injunction (Dkt. 118), at 18 ("Epic Games repeatedly ignored discussion of gaming laptops, tablets, and the Nintendo Switch, all of which can be played in a mobile fashion. These devices could have significant overlap with the iOS platform in terms of the ultimate consumer."); *id.* ("Sony, Nintendo and Microsoft all operate similar walled gardens or closed platform models as Apple, whereby the hardware, operating system, digital marketplace, and IAPs are all exclusive to the platform owner.") Apple and its experts are prejudiced by Epic's continued withholding of this information.

As always, we can make ourselves available to discuss if need be.
Harry R. S. Phillips

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